

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,

Plaintiff,

V.

LAWNS UNLIMITED LTD. and
EDWARD FLEMING,

Defendants.

Civ. No. 05-495-JJF
Judge Joseph J. Farnan Jr.

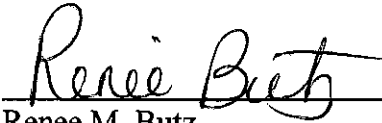
**PLAINTIFF'S MOTION FOR PROTECTIVE ORDER
ON MEDICAL RECORDS**

Plaintiff hereby moves this Court for a Protective Order prohibiting Defendants from requesting medical records outside the scope of Plaintiff's claims. In support of this motion, Plaintiff sets forth the following:

1. Plaintiff's claims giving rise to this action surround unlawful termination of employment under the Pregnancy Discrimination Act.
2. Plaintiff's claims seek, in part, damages related to the pregnancy for the time frame December 2003 through March 2004.
3. Defendants seek to subpoena any and all medical records of Plaintiff with no designated time frame. See attached.
4. The scope of Defendants subpoenas to Plaintiff's medical providers is overly broad given Plaintiff's cause of action.

WHEREFORE, Plaintiff prays this Court to enter an Order granting Plaintiff's Motion for a Protective Order on Medical Records limiting the scope of Defendants'

subpoenas requesting production of Plaintiff's medical records outside the scope of this action.

A handwritten signature in cursive script, reading "Renee Butz", written in black ink.

Renee M. Butz
58 Hickory Drive
North East, MD 21901
(410) 441-4300
Plaintiff *pro se*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,

Plaintiff,

v.

LAWNS UNLIMITED LTD. and
EDWARD FLEMING,

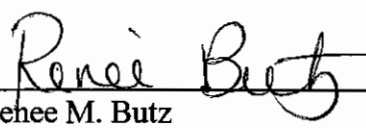
Defendants.

Civ. No. 05-495-JJF
Judge Joseph J. Farnan Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Plaintiff's Motion For Protective Order On Medical Records were sent by first-class United States mail, postage duly paid, on this 13 day of April, 2007, to counsel of record as follows:

Margaret M. DiBianca
Young Conaway Stargatt & Taylor, LLP
The Brandywine Building, 17th Floor
1000 West Street
Wilmington, DE 19801



Rehee M. Butz
58 Hickory Drive
North East, MD 21901
(410) 441-4300
Plaintiff pro se

Dated: 4/13/07

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**CASE NUMBER: **05-495-JJF**

Lawns Unlimited, Ltd. and Edward Fleming

LabCorp

TO: **69 FIRST AVENUE
RARITAN, NJ 08869**

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB: [REDACTED], SSN: [REDACTED]**

PLACE

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391, Wilmington, DE 19899-1031

DATE AND TIME

No Later than 04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED LABCORP DATE 4/5/07 PLACE 69 FIRST AVE
ROBITAN NJ 08869

SERVED ON (PRINT NAME) ALFONEDA MCGOWAN MANNER OF SERVICE By HAND AT 7:45PM

SERVED BY (PRINT NAME) MIKE POWERS TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/5/07
 ATE

Mike Powers
 SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

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(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Renee M. Butz

V.

SUBPOENA IN A CIVIL CASE

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd., and Edward Fleming

McDermott Chiropractic Centre
TO: 121A N. Union St.
Havre de Grace, MD, 21078

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PLACE OF TESTIMONY

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SSN: [REDACTED]

PLACE

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

DATE AND TIME

No Later Than
04/18/07

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4/5/07 PLACE 121 A N UNION ST
McDERMOTT CHIROPRACTIC Center HAVRE DE GRACE, MD 21076
 SERVED ON (PRINT NAME) SHERIE CARR MANNER OF SERVICE By HAND AT 2:25 PM
 SERVED BY (PRINT NAME) MATT HETZLER TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/5/07
 ATE

Matt Hetzler
 SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

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(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
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Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

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DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Christiana Care VNA
Attn: Records Manager
One Read's Way, Suite 100
New Castle, DE 19720

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PLACE

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

DATE AND TIME

No Later Than
04/18/07

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PREMISES

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

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Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4/4/07 PLACE ONE READS WAY
CHRISTIANA CANE VNA NEW CASTLE, DE 19720

SERVED ON (PRINT NAME) MANNER OF SERVICE
BETTY ANNE SMITH By HAND AT 10:21 AM

SERVED BY (PRINT NAME) TITLE
MAH HETZLER Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/4/07 Walter Hetzler
 ATE SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

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(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

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(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

William B. Funk, MD

TO: 665 Churchman's Road
Newark, DE 19702

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DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED William B FURIZ MD DATE 4/4/07 PLACE 665 CHURCHMAN'S RD
NEWARK, DE 19702

SERVED ON (PRINT NAME)

LIZ WEINER

MANNER OF SERVICE

By HAND AT 3:18 PM

SERVED BY (PRINT NAME)

EUGENE MATTHEWS

TITLE

Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/4/07

ATE

SIGNATURE OF SERVER

Eugene Matthews

ADDRESS OF SERVER

230 N MARKET STWILM DE 19801

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(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

**TO: Union Hospital
Attn: Records Manager
106 Bow Street
Elkton, Maryland 21921**

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB:**

(REDACTED), SSN: (REDACTED)

PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, P.O. Box 391, Wilmington, DE 19899-1031

**No Later than
04/18/07**

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED

DATE

4/4/07

PLACE

106 BOW ST
ELKTON, MD 21921

SERVED ON (PRINT NAME)

UNION HOSPITAL

MANNER OF SERVICE

By HAND to DENISE SALMON AT 401

SERVED BY (PRINT NAME)

MARSHAL MANLOVE

TITLE

PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/4/07

SIGNATURE OF SERVER



ATE

230 N MARKET ST
ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where

that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause

(c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)

The Brandywine Building, 17th Floor

1000 West Street

P.O. Box 391

Wilmington, Delaware 19899-0391

Telephone: (302) 571-5008

Facsimile: (302) 571-3476

Email: mdibianca@ycst.com

Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

Fred Wright, DDS

TO: 4543 Stoney Batter Rd.
Wilmington, DE 19808

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

**Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031**

No Later than
04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

M. DiBianca Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4/5/07 PLACE 4543 STONEY BATTER RD
FRED WRIGHT - DDS WILM DE 19808

SERVED ON (PRINT NAME) MANNER OF SERVICE
JENNIFER PERSON+1 By HAND at 9:35am

SERVED BY (PRINT NAME) TITLE
JOHN A GARBER Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/5/07

ATE

SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where

that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

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CERTIFICATE OF SERVICE

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)

The Brandywine Building, 17th Floor

1000 West Street

P.O. Box 391

Wilmington, Delaware 19899-0391

Telephone: (302) 571-5008

Facsimile: (302) 571-3476

Email: mdibianca@ycst.com

Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: **Christiana Care Health Services
Attn: Records Manager
PO Box 1668
Wilmington, DE 19899-1668**

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB: [REDACTED], SSN: [REDACTED]**

PLACE

DATE AND TIME

**Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031**

**No Later than
04/18/07**

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

DATE 4/4/07 PLACE 501 W 14TH ST
 SERVED CHRISTIANA CANE HEALTH SERV WILM DE 19801
 SERVED ON (PRINT NAME) EVETTE THOMAS MANNER OF SERVICE By HAND AT 3:20PM
 SERVED BY (PRINT NAME) William Thers TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/4/07 William Thers
 ATE SIGNATURE OF SERVER
230 N MARKET ST
 ADDRESS OF SERVER
WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

LabCorp

TO: 69 FIRST AVENUE
RARITAN, NJ 08869☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

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PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391, Wilmington, DE 19899-1031

No Later than 04/18/07

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED LABCORP DATE 4/5/07 PLACE 69 FIRST AVE
ROMLITAN NJ 08869

SERVED ON (PRINT NAME) ALFREDA MCGOWAN MANNER OF SERVICE By HAND AT 7:45pm

SERVED BY (PRINT NAME) MIKE POWERS TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/5/07

ATE

Mike Powers
SIGNATURE OF SERVER

230 N MARKET ST
ADDRESS OF SERVER

WILM DE 19801

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd., and Edward Fleming

McDermott Chiropractic Centre

TO: 121A N. Union St.

Havre de Grace, MD, 21078

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB: [REDACTED]; SSN [REDACTED]**

PLACE

DATE AND TIME

**Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031**

No Later Than
04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

DATE 4/5/07 PLACE 121 A N UNION ST
 SERVED McDERMOTT CHIROPRACTIC Centre HAVRE DE GRACE, MD 21076
 SERVED ON (PRINT NAME) _____ MANNER OF SERVICE By HAND AT 2:25 PM
 SERVED BY (PRINT NAME) SHERLIE CARR TITLE Process Server
MATT HETZLER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/5/07
 ATE _____

Matthew Hetzler
 SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILLOW DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where

that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Christiana Care VNA
Attn: Records Manager
One Read's Way, Suite 100
New Castle, DE 19720

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

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DATE AND TIME

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PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

No Later Than
04/18/07

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PREMISES

DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4/4/07 PLACE ONE READS WAY
CHRISTIANA CARE VNA NEW CASTLE, DE 19720

SERVED ON (PRINT NAME) BETTY ANNE SMITH MANNER OF SERVICE By Hand at 10:21 am

SERVED BY (PRINT NAME) MAH HETZLER TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/4/07

ATE

SIGNATURE OF SERVER

Walter Hetzler

ADDRESS OF SERVER

230 N MARKET STWILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

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CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Union Hospital
Attn: Records Manager
106 Bow Street
Elkton, Maryland 21921

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, P.O. Box 391, Wilmington, DE 19899-1031

No Later than
04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4/4/07 PLACE 106 BOW ST
ELKTON, MD 21921

SERVED ON (PRINT NAME) UNION HOSPITAL MANNER OF SERVICE By HAND to DENISE SALMON at 401

SERVED BY (PRINT NAME) MANSUR MANLIVE TITLE PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/4/07
 ATE

Mansur Manlive
 SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

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(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
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that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
 UNITED STATES DISTRICT COURT
 DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

Fred Wright, DDS
 TO: 4543 Stoney Batter Rd.
 Wilmington, DE 19808

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

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[REDACTED] SSN [REDACTED]

PLACE

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
 Wilmington, DE 19899-1031

DATE AND TIME

No Later than
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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED FRED WRIGHT - DDS DATE 4/5/07 PLACE 4543 STONEY BATTER RD
WILM DE 19808

SERVED ON (PRINT NAME) JENNIFER PERSON+1 MANNER OF SERVICE By HAND AT 9:35am

SERVED BY (PRINT NAME) JOHN A GARBER TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/5/07

ATE

SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Christiana Care Health Services
Attn: Records Manager
PO Box 1668
Wilmington, DE 19899-1668

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

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PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB [REDACTED], SSN [REDACTED]**

PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

No Later than
04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED CHRISTIANA CANE HEALTH SERV DATE 4/4/07 PLACE 501 W 14TH ST
WILM DE 19801
 SERVED ON (PRINT NAME) EVETTE THOMAS MANNER OF SERVICE By HAND AT 3:20PM
 SERVED BY (PRINT NAME) William Thers TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4/4/07 William Thers
 ATE SIGNATURE OF SERVER
230 N MARKET ST
 ADDRESS OF SERVER
WILM DE 19801

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Bayside Health OBGYN
Attn: Records Manager
63 Atlantic Avenue
Ocean View, DE 19970

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB [REDACTED]; SSN [REDACTED]**

PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

No Later Than
04/18/07

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PREMISES

DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED

DATE 4-05-07

PLACE 63 Atlantic Avenue
Ocean View, DE 19970SERVED ON (PRINT NAME) Bayside Health OBGYN Attn: Records
manager, Service was accepted by Kathy Murphy
at 10:39 A.M.

MANNER OF SERVICE

Subpoena

SERVED BY (PRINT NAME)

Lori Millar

TITLE

Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4-5-07

SIGNATURE OF SERVER

Lori Millar

ATE

ADDRESS OF SERVER

15 East North Street

Dover DE 19901

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)

The Brandywine Building, 17th Floor

1000 West Street

P.O. Box 391

Wilmington, Delaware 19899-0391

Telephone: (302) 571-5008

Facsimile: (302) 571-3476

Email: mdibianca@ycst.com

Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Beebe Medical Center
Attn: Records Manager
424 Savannah Rd.
Lewes, DE 19958

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

No Later Than
04/18/07

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PREMISES

DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED

DATE 4-05-07

PLACE

424 Savannah Road
Lewes, DE 19958

SERVED ON (PRINT NAME) Beebe Medical Center Attn: Records Manager. Service was accepted by Carol Conway at 11:20 A.M.

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

Lori Miller

Subpoena
Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4-5-07

ATE

SIGNATURE OF SERVER

15 East North Street
ADDRESS OF SERVER

Dover DE 19901

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

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(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

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(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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CERTIFICATE OF SERVICE

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)

The Brandywine Building, 17th Floor

1000 West Street

P.O. Box 391

Wilmington, Delaware 19899-0391

Telephone: (302) 571-5008

Facsimile: (302) 571-3476

Email: mdibianca@ycst.com

Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

**To: Bayside Health OBGYN
Attn: Records Manager
63 Atlantic Avenue
Ocean View, DE 19970**

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

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PLACE

DATE AND TIME

**Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031**

No Later Than
04/18/07

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PREMISES

DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4-05-07 PLACE 63 Atlantic Avenue
Ocean View, DE 19970

SERVED ON (PRINT NAME) Bayside Health OB/GYN Attn: Records MANNER OF SERVICE
manager, Service was accepted by Kathy Murphy Subpoena
at 10:39 A.M.

SERVED BY (PRINT NAME) Lori Millar TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4-5-07

ATE

Lori Millar
 SIGNATURE OF SERVER

15 East North Street
 ADDRESS OF SERVER

Dover DE 19901

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

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CERTIFICATE OF SERVICE

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Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
 UNITED STATES DISTRICT COURT
 DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE

V.

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

TO: Beebe Medical Center
 Attn: Records Manager
 424 Savannah Rd.
 Lewes, DE 19958

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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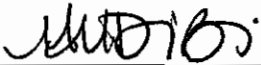
☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB [REDACTED], SSN [REDACTED]

PLACE Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17 th Floor, P.O. Box 391, Wilmington, DE 19899-1031	DATE AND TIME No Later Than 04/18/07
---	--

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  Attorney for Defendants	DATE 04/04/07
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ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391, Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED DATE 4-05-07 PLACE 424 Savannah Road
Lewes, DE 19958

SERVED ON (PRINT NAME) Beebe Medical Center Attn: Records Manager MANNER OF SERVICE Service was accepted by Carol Conway at 11:20 A.M.

SERVED BY (PRINT NAME) Lori Miller TITLE Subpoena Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 4-5-07
 ATE

Lori Miller
 SIGNATURE OF SERVER

15 East North Street
 ADDRESS OF SERVER

Dover DE 19901

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

CERTIFICATE OF SERVICE

I, Margaret M. DiBianca, Esquire, hereby certify that on April 6, 2007, I electronically filed a true and correct copy of the foregoing Subpoena Return of Service with the Clerk of the Court using CM/ECF, and that I caused two (2) copies of said document to be served upon the following non-registered participant via postage prepaid, U.S. Mail and First Class Certified U.S. Mail/Return Receipt Requested:

Renee M. Butz
58 Hickory Drive
Northeast, Maryland 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

Margaret M. DiBianca, Esquire (Bar I.D. 4539)
The Brandywine Building, 17th Floor
1000 West Street
P.O. Box 391
Wilmington, Delaware 19899-0391
Telephone: (302) 571-5008
Facsimile: (302) 571-3476
Email: mdibianca@ycst.com
Attorney for Defendants

**Issued by the
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Renee M. Butz

SUBPOENA IN A CIVIL CASE**V.**

CASE NUMBER: 05-495-JJF

Lawns Unlimited, Ltd. and Edward Fleming

William B. Funk, MD

TO: 665 Churchman's Road
Newark, DE 19702

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): **Any and all records, notes, reports, consultations, summaries, diagnostic test reports, correspondence, memoranda, billing records, and any other documents pertaining to your patient Renee M. Butz, f/k/a Renee Turturici, f/k/a Renee Beauchemin DOB [REDACTED] SSN [REDACTED]**

PLACE

Young, Conaway, Stargatt & Taylor, LLP, 1000 West Street, 17th Floor, P.O. Box 391,
Wilmington, DE 19899-1031

DATE AND TIME

No Later Than
04/18/07

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE



Attorney for Defendants

04/04/07

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Margaret M. DiBianca, Esquire, Young Conaway Stargatt & Taylor, LLP, The Brandywine Building, 17th Floor, PO Box 391,
Wilmington, DE 19899-1031, (302) 571-5008

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE

SERVED William B FURIE MD DATE 4/4/07 PLACE 665 CHURCHMAN'S RD
NEWARK, DE 19702

SERVED ON (PRINT NAME) LIZ WEINER MANNER OF SERVICE By HAND AT 3:18 PM

SERVED BY (PRINT NAME) EUGENE MATTHEWS TITLE Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

4/4/07

ATE

Eugene Matthews
 SIGNATURE OF SERVER

230 N MARKET ST
 ADDRESS OF SERVER

WILM DE 19801

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Renee M. Butz
58 Hickory Drive
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/s/ Margaret M. DiBianca, Esq.

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Attorney for Defendants